

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

RAYTHEON COMPANY, a Delaware corporation,

Plaintiff,

vs.

INDIGO SYSTEMS CORPORATION, a California corporation, and FLIR SYSTEMS, INC., an Oregon corporation,

Defendants.

AND RELATED COUNTERCLAIMS.

No. 4:07 CV 109

JURY TRIAL DEMANDED

**ORDER GRANTING
DEFENDANTS MOTION TO WITHDRAW PORTIONS OF THEIR MOTION FOR
SUMMARY JUDGMENT AND MOTION TO COMPEL REGARDING
PLAINTIFF'S CLAIMS OF INFRINGEMENT OF U.S. PATENT NO. RE 34,908**

On this 12th day of March, 2008, came on for consideration Defendants Indigo Systems Corporation's and FLIR Systems Inc.'s Motion to Withdraw Portions of Their Motion For Summary Judgment And Motion To Compel Regarding Plaintiff's Claims Of Infringement Of U.S. Patent No. Re 34,908 [de #187].

Having considered the motion, and in view of the fact that this Court has dismissed all claims and counterclaims related to U.S. Reissue Patent No. 34,908, IT IS HEREBY ORDERED THAT:

(1) Defendants' Motion to Withdraw that portion of their Motion for Summary Judgment (D.E. #66) which targets Plaintiff's claims for infringement of the '908 Reissue is hereby GRANTED.

(2) Defendants' Motion to Withdraw that portion of Defendants' pending Motion to Compel (D.E. #123) which targets discovery relevant only to Plaintiff's allegations of infringement of the '908 Reissue is hereby GRANTED.

SIGNED this the 12th day of March, 2008.


RICHARD A. SCELL
UNITED STATES DISTRICT JUDGE